

S a a

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Bot et al.)	Group Art Unit 1644			
Appl. No.	:	09/919,477)	I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in			
Filed	:	July 30, 2001)	an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on			
Responses to I	Peptides	Novel Methods and egulate, Redirect or Limit Immunes, Proteins and Other Bioactive ors Expressing the Same))))	Kacy Honnert Kathy Honnert			

RESPONSE TO RESTRICTION REQUIREMENT

RECEIVEL

MAY 2 1 2003

TECH CENTER 1600/2900

Assistant Commissioner for Patents Washington, D.C. 20231

Saunders, D.

Dear Sir:

Examiner

In response to the Office Action dated April 18, 2003, please consider the following amendments and remarks with respect to the above-captioned application.

Response to Restriction Requirement

In response to the Restriction Requirement, Applicants elect without traverse, Group II. Applicants further elect that the species covered by Group II be specific to phosphatidylcholines and respectfully submit that claim 32 is generic. Claims 32 – 41 and 51 – 55 read on the elected species.

No fees are seen as being necessary in connection with this Response to the Restriction Requirement. However, the Commissioner is authorized to charge any fees in connection with this paper to Deposit Account No. 500348. A copy of this response is attached for this purpose.

Appl. No. Filed : **J**u

July 30, 2001

CONCLUSION

Applicants believe that all the pending claims are presently in condition for allowance. However, the Examiner is invited to telephone the undersigned attorney at the number below if it is believed that this will expedite prosecution of the present application.

Respectfully submitted,

Dated: <u>5/10/03</u>

By:

Michael J. Rafa. Registration No. 38,740

Attorney of Record (650) 631-5053

Practitioner's Docket No. 0157.00

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

pre application of:

Adrian Bot, Luis Dellamary, Dan J. Smith, and Catherine M. Woods

Application No.: 09/919,477

Group No.: 1644

Filed: 07/30/2001

Examiner: D.Saunders

For: NOVEL METHODS AND COMPOSITIONS TO UPREGULATE, REDIRECT, OR LIMIT

IMMUNE RESPONSES TO PEPTIDES PROTEINS . . .

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

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MAY 2 1 2003

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AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is other than a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory: Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

G deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

Date: 5/16/03

37 C.F.R. § 1.10*

G as "Express Mail Post Office to Addressee" Mailing Label No.

(mandatory)

with sufficient postage as first class mail.

TRANSMISSION

G facsimile transmitted to the Patent and Trademark Office, (703)

* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(C	ol. 2)	(C	ol. 3) OTHER THAN A			R THAN A	A SMALL ENTITY		
	CLAIMS										
	REMAINING	HIGHEST NO.									
	AFTER	PREVIOUSLY PAID FOR		PRESENT EXTRA		RATE				ADDIT.	
	AMENDMENT								FEE		
TOTAL	80		80	=	0	х	\$	18.00		\$	0.00
INDEP.	7	_	7	=	0	<u>x</u>	\$	84.00	=	\$	0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM +								0.00	=	\$	0.00
								TOTAL			-
							AΓ	DIT. FEE		\$	0.00

No additional fee for claims is required.

FEE DEFICIENCY

5. An additional extension and/or fee is required, charge Account No. 500348.

An additional fee for claims is required, charge Account No. 500348.

Date: 5/16/03

Reg. No.: 38,740

Tel. No.: 650-631-5053 Customer No.: 21968 Signature of Practitioner

Michael J. Rafa Nektar Therapeutics 150 Industrial Road San Carlos, CA 94070

U.S.A.